

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BRETT WHEELER,

X

Plaintiff,
-against-

19 CIVIL 9689 (MKV)

CAPT. HARPER, 1159 Badge, C.O. Harper, 1195
Badge, and C.O. Gonzalez, 8465 Badge,

Defendants.

X

It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated March 14, 2022, the Defendants' Motion to Dismiss is GRANTED. Plaintiff's Second Amended Complaint is DISMISSED WITH PREJUDICE. The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from the order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. Cf. Coppedge v. United States, 369 U.S. 438, 44445 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue); accordingly, the case is closed.

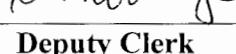
Dated: New York, New York

March 14, 2022

RUBY J. KRAJICK

BY:


Clerk of Court


Deputy Clerk